



***Town of Tyngsborough
Conservation Commission***

25 Bryants Lane
Tyngsborough, Massachusetts 01879-1003
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Minutes
June 26, 2007

Present:

ES: Ed Smith, Chairman

RS: Robert Sherburne

MM: Matt Marro, Conservation Director

HJ: Henry Jungmann, Vice-Chairman

JK: Jeffery Kablik

Absent:

GC: Gary Consentine

PB: Paul Barker

LG: Lucy Gertz

7:00 Meeting opened by Ed Smith

7:05 George Frost – 72 Progress Ave. – Notice of Intent (Map 13, Parcel 46/0) (Continued from 4/10, 5/8 5/22 and 6/12) Construction of a 15,750 s.f. Manufacturing facility with adequate parking and truck docking. This hearing postponed at the request of the applicant to be continued at a later date.

HJ: Motion to continue 72 Progress Ave to July 10, 2007 at 7:05 PM

RS: 2nd the motion

Unanimous 4-0

7:15 Felix Fortunata – 18 Jamie Way – Abbreviated Notice of Resource Area Delineation (Map 16, Lot 51) Determination of the wetlands.

HJ: Motion waive the reading of the legal notice

JK: 2nd the motion

Unanimous 4-0

HJ: Motion to waive the reading of the abutters list

RS: 2nd the motion

Unanimous 4-0

JK stated as a neighbor, but not an abutter, to 18 Jamie Way, he could still be a fair and impartial participant on this hearing. **Peter Nicosia**, acting as a representative for the applicant, requested that **JK** also submit a letter stating this be put on file at the Town Clerks office. The minutes from this meeting will included with this letter.

Steven Auger of Hayner/Swenson, Inc. presented plans showing what they surveyed as buildable land which included part of the culvert and wing walls. This land is considered R3 and would need 44,000 sq. ft. of contiguous land to build a single family house. **MM** disagreed with these findings. After doing a site visit of this area and the bordering vegetative wetlands, **MM** found the culvert and adjacent riprap area to be part of an intermittent stream.

Robert Procop, a wetlands consultant for the applicant, disagreed with **MM** and considered the area of riprap stones an extension of the culvert and not an intermittent stream.

Abutter **Mike Martin**, 14 Sunset Way, felt this area was wetlands and if the vegetation which now holds off the water, was allowed to die off, the water would then flood his yard.

Abutter **Joan Levasseur**, 10 Jamie Way, felt this lot should have to follow all the same rules and restrictions that she has to follow when making alterations at her property.

HJ: Motion to close this hearing

JK: 2nd the motion

Unanimous 4-0

HJ: Motion to approve the Area of Delineation for 18 Jamie Way subject to modification that the wetlands be brought up 10' wide and 22' long to connect to the culvert.

JK: 2nd the motion

Unanimous 4-0

7:30 Town of Tyngsborough, Sewer Commission – 41 Willowdale Ave. – Notice of Intent (Map 32A, Parcel 140) Proposed replacement of an existing wastewater pumping station and associated above ground three sided wooden structure.

HJ: Motion waive the reading of the legal notice

JK: 2nd the motion

Unanimous 4-0

HJ: Motion to waive the reading of the abutters list

JK: 2nd the motion

Unanimous 4-0

Peter Calderazzo and Diane O'Connor of Dewberry-Goodkind, Inc., presented plans for an new sewer pumping station to replace the existing station. This existing station will be torn down and debris removed when the new station is finished and operational. DEP has questioned how the wetlands enclosed by the fence will be protected. The pain is to replicate the land with in the fence including a gravel driveway instead of paving it.

HJ: Motion to close this hearing

RS: 2nd the motion

Unanimous 4-0

JK: Motion to approve the Order of Condition for 41 Willowdale Ave to replace the existing pumping station per dated June 2007, Rev. 2 dated 6/20/07.

HJ: 2nd the motion

Unanimous 4-0

Director's Determinations and Report:

- ❖ The Conservation Commission received a letter from Jim Corrigan regarding the Shade Glade Conservation Trail. After receiving permission from the board at the May 8th meeting, On June 16th, Mr Corrigan and his daughter cleared the trails by removing trees that were blocking the trails. A letter of appreciation was sent to Mr. Corrigan
- ❖ EPA is scheduling a meeting on the **Stormwater Management Plan** that was submitted for review. The meeting is scheduled for August 6th and would include MM, The Tyngsborough and Dracut Water Department Directors, Tyngsborough Town Administrator Rosemary Cashman and NMCOG.
- ❖ Site visit to Vesper Country Club concerning connecting to town water as a supplement and for the removal of some trees. Advised that a NOI will be needed for the tree removal.

JK: Motion to approve the Directors Determination on Vesper Country Club

RS: 2nd the motion
Unanimous 4-0

- ❖ Site visit to **13 Bowers Ave.** regarding the removal of a dead tree. This tree can be removed without any further action.
JK: Motion to approve the Directors Determination on 13 Bowers Ave.
RS: 2nd the motion
Unanimous 4-0
- ❖ Site visit to **10 Lincoln Drive** regarding a proposed addition. This work is out of the buffer zone and no further action is required.
JK: Motion to approve the Directors Determination on 10 Lincoln Drive
HJ: 2nd the motion
Unanimous 4-0
- ❖ Site visit to **8 Brookview Circle** regarding proposed landscape work. This work is 60' from the buffer and requires a Determination of Applicability.
HJ: Motion to approve the Directors Determination on 8 Brookview Circle.
JK: 2nd the motion
Unanimous 4-0
- ❖ On a site visit in the area of **6 Upton Drive** it was noticed that a shed was located next to Fletchers Pond. A letter was sent to the owner requesting to walk the property.
- ❖ On a site visit in the area of **2 Upton Drive** it was noticed that it had been re-loamed and seeded up to Flints Pond. A letter was sent to the owner requesting to walk the property.
- ❖ A letter was sent to **Peter Nicosia** concerning 7 trees (2" caliper) that were required on **259 Middlesex Road**. These trees are now on order.
- ❖ There is a possibility of the Conservation department doing some media access for public information and conservation education.

Other Business

- ❖ **Minutes/Bills/Other Business**
 - ❖ Minutes from 6/12/07 meeting
HJ: Motion to accept the minutes from 6/12/07 meeting
RS: 2nd the motion
Unanimous 4-0
 - ❖ **Peter Tardiff**, a member of the Tyngsborough Boy Scouts appeared to discuss the possibility of building a bridge over wetlands on the Sherburne Conservation Property. Peter presented plans and a list of materials that would be donated to build this bridge. The bridge would be built out of pressure treated lumber and have a 10' span to take into consideration any natural erosion. HJ suggested the addition of rebar stakes in the ground to prevent the bridge from shifting and has also offered with the transportation of the lumber to the bridge site..
 - ❖ Information has been received for a new computer for the Conservation Department
HJ: Motion to send a sum not to exceed \$1500 to purchase a new computer for the Conservation Department.
JK: 2nd the motion
Unanimous 4-0

- ❖ Board discussed additional hours for the clerk to replace hours that were previously taken away from the department.
- ❖ Sign-off on department invoices
- ❖ **Sign Forms:**
 - ❖ **26 Tower Road** (Map 33, Parcel 20, Lot13) – **Determination of Applicability**
 - ❖ **13 Bowers Ave** (Map 32A, Parcel 51, Lot 0) – **Order of Conditions**
 - ❖ **265 Pawtucket Blvd** (Map 34, Parcel 18) – **OOO Extension 309-0722**
 - ❖ **265 Pawtucket Blvd** (Map 34, Parcel 18) - **Determination of Applicability**
 - ❖ **65 Scribner Road (Twin Oaks Subdivision)** (Map 9, Parcel 4) – **Certificate of Compliance 309-673**
 - ❖ **Long Pond – OOO Extension 309-600** – continued management and maintenance of the aquatic vegetation and algae

Meeting adjourned at 8:15 PM

HJ: Motion to adjourn

JK: 2nd the motion

Unanimous 5-0

Respectfully submitted

Karen Steeves, Conservation Clerk